

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BELLSOUTH MOBILITY,)	
LLC, D/B/A CINGULAR WIRELESS - KENTUCKY)	
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY TO)	
CONSTRUCT A WIRELESS COMMUNICATIONS)	
FACILITY AT 440 OLD PRICHARD HOLLOW)	CASE NO. 2004-00355
ROAD, BRYANT'S STORE, KENTUCKY 40921)	
IN THE WIRELESS COMMUNICATIONS)	
LICENSE AREA IN THE COMMONWEALTH OF)	
KENTUCKY IN THE COUNTY OF KNOX)	
SITE NAME: ODDS)	

O R D E R

On November 3, 2004, the Commission granted to BellSouth Mobility, LLC, d/b/a Cingular Wireless – Kentucky (“Cingular”) a Certificate of Public Convenience and Necessity to construct and operate a wireless communications services facility at 440 Old Prichard Hollow Road, Bryant’s Store, Knox County, Kentucky.

On May 31, 2005, Cingular filed a notice stating that it does not intend to construct the proposed facility and requesting the Commission to withdraw the certificate.

Pursuant to KRS 278.020(1), unless a certificate to construct is exercised within 1 year from date of issuance, it becomes void. Pursuant to KRS 278.390, any Order of the Commission continues in effect until it expires by the time, if any, named by the Commission or until revoked or modified by the Commission.

The Commission finds that the request of Cingular should be granted and that the Order of the Commission granting the certificate to construct the facility should be revoked.

IT IS THEREFORE ORDERED that:

1. The request of Cingular is granted.
2. The Commission's Order dated November 3, 2004 granting a Certificate of Public Convenience and Necessity to Cingular to construct and operate a wireless communications services facility at 440 Old Prichard Hollow Road, Bryant's Store, Knox County, Kentucky is revoked.
3. This matter is closed and is removed from the Commission's docket.

Done at Frankfort, Kentucky, this 13th day of June, 2005.

By the Commission

ATTEST:



Executive Director